

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1768.01
COMPLAINT INVESTIGATOR: Sandie Scudder
DATE OF COMPLAINT: June 1, 2001
DATE OF REPORT: June 29, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: July 17, 2001

COMPLAINT ISSUES:

Whether the MSD of Warren Township violated:

- 511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's individualized education program (IEP) as written, specifically, failing to provide identified adaptations and accommodations.

FINDINGS OF FACT:

1. The student (Student) is in seventh grade, is 14 years old, and is eligible for special education and related services as a student with a moderate mental disability.
2. The Student's IEP dated September 19, 2000, identifies the following accommodations and supports:
 - < monitor efforts in use of passport;
 - < monitor homework completion with home;
 - < use of taped texts;
 - < use of calculator, graph paper for math when appropriate;
 - < use of lined writing paper;
 - < tests read orally;
 - < assigned Study Skills class;
 - < weekly homework form is faxed to parent;
 - < student also carries form home;
 - < every morning assignments are removed from backpack; and
 - < modified assignments.The IEP also indicates that the Student will participate in general and special education health and physical education classes. A November 16, 2000, amendment to the IEP indicates the Student will participate in a skills class "in lieu of Health."
3. The complainant asserts that the graph paper and lined writing paper were not consistently provided because the Student utilized worksheets provided by the classroom teacher rather than writing the answers or completing math problems on separate lined writing or graph paper. However, the Student also completed some of the written work on college ruled lined writing paper and did math assignments on graph paper.
4. The complainant also asserts that the Student was not provided the opportunity to type

assignments on the computer and was not provided a modified curriculum for health class.

CONCLUSION:

Finding of Fact #2 reflects that the Student's IEP identifies a number of accommodations and supports, including the use of lined writing paper and graph paper for math when appropriate, but does not include a requirement that the Student have access to a computer to type assignments. The IEP originally included the Student's participation in general and special education health classes, without reference to a modified curriculum, but was subsequently amended to substitute a skills class in lieu of the health class. Finding of Fact #3 indicates the Complainant's belief that the Student's IEP required him to use lined writing paper for all written assignments and graph paper for all math work (in lieu of worksheets). The IEP does not preclude worksheets and indicates that graph paper is to be used when appropriate. Although there appears to be a difference of interpretation of the accommodations, there is no violation of 511 IAC 7-27-7(a).

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: June 29, 2001